

AO 91 (REV.5/85) Criminal Complaint

AUSA Heather K. McShain (312) 353-1414

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**FILED**

AUG 24 2010

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT **MICHAEL W. DOBBINS**  
CLERK, U.S. DISTRICT COURT

v.

CASE NUMBER:

**MAGISTRATE JUDGE**  
**GERALDINE SOAT BROWN**

JAMES PECK

**1 OCR 0709**

I, the undersigned complainant, being duly sworn on oath, state that the following is true and correct to the best of my knowledge and belief: On or about August 23, 2010, at Oak Lawn, in the Northern District of Illinois, Eastern Division, JAMES PECK, defendant herein:

by intimidation, took from the person and presence of a bank employee, approximately \$5,840 in United States currency belonging to, and in the care, custody, control, management, and possession of Standard Bank and Trust Company, located at 4001 W. 95th Street, Oak Lawn, Illinois, the deposits of which were then insured by the Federal Deposit Insurance Corporation;

in violation of Title 18, United States Code, Section 2113(a). I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the facts contained in the Affidavit which is attached hereto and incorporated herein.

*Brian S. Clark*

Signature of Complainant

BRIAN S. CLARK

Special Agent, Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

August 24, 2010

Date

at

Chicago, Illinois

City and State

Geraldine Soat Brown, U.S. Magistrate Judge

Name & Title of Judicial Officer

*Geraldine Soat Brown*

Signature of Judicial Officer

UNITED STATES DISTRICT COURT     )  
  ) ss  
NORTHERN DISTRICT OF ILLINOIS     )

I, BRIAN S. CLARK, being duly sworn depose and state as follows:

**INTRODUCTION**

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been so employed for approximately seven years. I am currently assigned to the FBI Chicago, South Resident Agency in Orland Park, IL. My responsibilities include the investigation of violent crimes, including, among others, kidnaping, bank robbery, and the apprehension of violent fugitives.

2. This affidavit is submitted in support of a criminal complaint alleging that JAMES PECK committed bank robbery in violation Title 18, United States Code, Section 2113(a). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging PECK with bank robbery, I have not included each and every fact known to me concerning this investigation.

3. I make this affidavit from personal knowledge based upon my participation in this investigation, reports I have read related to this investigation, conversations I have had with law enforcement officers and others who have knowledge of the events and circumstances described herein, and interviews of bank employees, witnesses, and other individuals.

**THE ROBBERY OF THE STANDARD BANK**

4. According to information that law enforcement obtained from a teller employed by the Standard Bank and Trust Company ("Standard Bank") located at 4001 W. 95th Street, Oak Lawn, Illinois ("the victim teller"), on or about August 23, 2010, at approximately 1:57 p.m., a white

male who was approximately 5'6" tall, with a thin build, wearing a light colored shirt, tan ballcap, and carrying a black plastic bag approached the victim teller's counter at the Standard Bank and stated words to the effect of, "I need \$14,000.00." The victim teller had just sold money to the vault, so the victim teller advised the robber that he/she did not have that much, and asked if the robber was going to cash a check. The robber said, "No, you're gonna give me the \$14,000." The victim teller again stated that he/she did not have that amount. The robber replied, "I am robbing you." The victim teller said to the robber, "No you're not;" the robber stated, "Yes, I am." The victim teller told the robber again that he/she didn't have \$14,000, and the robber replied, "Give me whatever you have in the drawer." The victim teller hesitated, and the robber said, "I have two guys with guns waiting outside. They're gonna hurt you and your family if you don't give me the money." The victim teller opened his/her teller drawer, and showed the robber what was in it. The robber said, "Give me that, put it in a bag." The victim teller told the robber that he/she did not have a bag, and the robber replied, "I have a bag." The victim teller grabbed the money in the drawer, to include bait bills, placed a rubber band around the entire stack of bills, and placed the money into the black plastic bag the robber held open for the victim teller. The robber then exited the bank's south doors, and walked in a southwest direction in a casual manner.

5. The victim teller was particular in how he/she grouped the bills placed into the black plastic bag. The victim teller provided the following details regarding how the money was packaged when he/she placed it into the robber's black plastic bag:

- a. Twenty \$50 bait bills;
- b. Fifty \$1 bills banded in a \$50 money strap;
- c. Thirty \$2 bills paper-clipped together;

- d. Numerous \$10 bills paper-clipped together in \$200 stacks;
- e. Teller money straps dated 08/16/2010 with the teller's number (20); and
- f. A single rubber band placed around the entire stack of money.

6. According to a preliminary audit performed by Standard Bank personnel, the victim teller provided the robber with approximately \$5,840 in United States currency, which funds belonged to, or were in the care, custody, control, management, or possession of the Standard Bank.

7. Based on my review of the security camera video of the robbery, the robber was wearing a gray hat, white short-sleeve shirt, blue shorts, white socks, dark shoes, and carrying a black bag.

#### **THE IDENTIFICATION OF PECK AS THE ROBBER**

8. Immediately after the robber fled the bank, the victim teller activated an alarm and another bank employee called 911.

9. Soon thereafter, a officer with the Oak Lawn Police Department responded to a dispatch call that resulted from the Standard Bank's 911 call. The dispatch told the police officer that the robber was a white male approximately 50 years old heading in a southwest direction and wearing a white shirt and blue shorts and carrying a black bag.

10. The Oak Lawn Police Department officer arrived in the area of the bank within approximately one minute of the dispatch broadcast. The officer observed a white male matching the physical description (and carrying a black bag) of the robber a short distance south of the bank. The officer, identifying himself as law enforcement, told the white male to stop. The white male did not respond in any manner, and continued to walk. The officer again commanded the white male to stop and pointed his weapon. The white male continued to walk and ignore the officer. The

officer holstered his weapon and tackled the white male. At that time, the officer placed the white male under arrest.

11. The Oak Lawn Police Department officer who arrested the white male was familiar with him and identified him as JAMES PECK. In addition, PECK was wearing a hospital identification bracelet at the time of his arrest that contained his name.

12. During a search incident to arrest, law enforcement searched the black plastic bag PECK had been carrying at the time of his arrest. Inside the bag, among other items, was a rubber banded stack of United States Currency. In looking at that stack of USC, a bundle of 50 \$1 bills was observed, as well as a bundle of 20 \$50 bills, both of which had money straps around them. The money straps contained the date 08/16/2010, and the teller stamp 20. A review of the 20 \$50 bills showed that all 20 matched a list of the bait bills stolen by the robber. In total, the black plastic bag contained approximately \$5,840.00 in United States currency.

13. Within 15 minutes of PECK's arrest, law enforcement brought the victim teller to the area where PECK was in custody. The victim teller positively identified PECK as the robber. The victim teller also positively identified the black plastic bag PECK possessed at the time of his arrest.

14. Later on August 23, FBI agents, among other things, informed PECK of his *Miranda* rights. After acknowledging and waiving his rights, PECK agreed to be interviewed by Special Agents of the FBI.

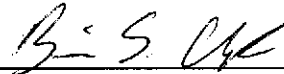
15. During PECK'S interview, he identified himself as JAMES PECK. During the interview, PECK stated, among other things, "I just did something stupid" and "tried to rob a bank." PECK stated that he entered the bank and asked a teller for \$1,600, just enough to pay his bills. PECK stated he then told the teller to just give him the money and "give me what you got." PECK

claimed to have two accounts at the bank but stated there was no money in the accounts. PECK did not know how much money he took.

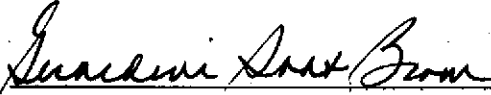
**FDIC INSURED STATUS OF STANDARD BANK**

16. The FBI has reviewed the Standard Bank's Federal Deposit Insurance Corporation Certificate, which confirms that the deposits of the Standard Bank and Trust Company were insured by the FDIC at the time of the robbery.

FURTHER AFFIANT SAYETH NOT.

  
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BRIAN S. CLARK  
Special Agent  
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence  
this 28<sup>th</sup> day of August 2010:

  
\_\_\_\_\_  
HON. GERALDINE SOAT BROWN  
UNITED STATES MAGISTRATE JUDGE